

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**DUSTIN C. WILSON,**  
**Plaintiff,**

**v.**

**SWINEY, et al.,**  
**Defendants.**

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**Civil Action No. 7:15cv00452**

**MEMORANDUM OPINION**

**By: Norman K. Moon**  
**United States District Judge**

By order entered May 12, 2016, the court conditionally filed this action and directed Wilson to consent to payment of the filing fee before the court would proceed with his complaint filed pursuant to 42 U.S.C. § 1983. The court advised Wilson that failure to comply with the court's order within ten days would result in dismissal of his complaint without prejudice. Wilson did not respond to the court's order. Inasmuch as the time to respond has passed and Wilson has failed to comply with the court's order, I will dismiss this action without prejudice.

**ENTER:** This 31st day of May, 2016.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE